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BILLINGS DIV.

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ATTORNEYS FOR PLAINTIFF
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

UNITED STATES OF AMERICA, Plaintiff, vs. SHAWN MATTHEW RUSSELL, Defendant.	CR 10-13 -H-CCL <u>INDICTMENT</u> SEXUAL EXPLOITATION OF CHILDREN (Count I) Title 18 U.S.C. § 2251(a) (Penalty: Mandatory minimum 15 to 30 years imprisonment, \$250,000 fine, and not less than five years to lifetime supervised release)
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	COERCION & ENTHRALLEMENT 18 U.S.C. § 2422(b)(Count II) Penalty: Mandatory minimum 10 years to life imprisonment, \$250,000 fine, and 5 years to lifetime supervised release
	TRANSPORTATION OF A MINOR WITH INTENT TO ENGAGE IN CRIMINAL SEXUAL ACTIVITY 18 U.S.C. § 2423(a) (Count III) Penalty: Mandatory minimum 10 years to life imprisonment, \$250,000 fine and 5 years to lifetime supervised release
	TRAVEL WITH INTENT TO ENGAGE IN ILLICIT SEXUAL CONDUCT WITH A MINOR 18 U.S.C. § 2423(b) (Count IV) Penalty: Up to 30 years imprisonment, \$250,000 fine and 5 years to lifetime supervised release
	POSSESSION OF CHILD PORNOGRAPHY (Count V) Title 18 U.S.C. § 2252A(a)(5)(B) Penalty: Ten years imprisonment, \$250,000 fine, and not less than five years to lifetime supervised release
	FORFEITURE Title 18 U.S.C. § 2253(a)

THE GRAND JURY CHARGES:

COUNT I

That during approximately January 2010, at Helena, in the State and District of Montana, the defendant, SHAWN MATTHEW

RUSSELL, used, persuaded, induced, enticed or coerced a minor (name withheld to protect victim's privacy), to engage in, or had a minor assist any other person to engage in, any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, if such person knows or has reason to know that such visual depiction will be transported in interstate or foreign commerce, or mailed, or if that visual depiction was produced using material that had been mailed, shipped, or transported in interstate or foreign commerce by any means, including by computer, or if such visual depiction has actually been transported in interstate or foreign commerce or mailed, in violation of 18 U.S.C. § 2251(a).

COUNT II

That from approximately September 2009 through January 2010, in Helena, in the State and District of Montana, and elsewhere, the defendant, SHAWN MATTHEW RUSSELL, using any facility or means of interstate or foreign commerce, knowingly persuaded, induced, enticed or coerced any individual who had not attained the age of 18 years to engage in any sexual activity for which any person can be

charged with a criminal offense, that is, MCA § 45-5-503, Sexual Intercourse Without Consent, in violation of 18 U.S.C. § 2422(b).

COUNT III

That in approximately December 2009, in Helena, in the State and District of Montana, and elsewhere including Oregon and Washington, the defendant, SHAWN MATTHEW RUSSELL, knowingly transported an individual who had not attained the age of 18 years in interstate or foreign commerce, with intent that the person engage in any sexual activity for which any person can be charged with a criminal offense, that is, MCA § 45-5-503, Sexual Intercourse Without Consent, in violation of 18 U.S.C. § 2423(a).

COUNT IV

That in approximately December 2009, in Helena, in the State and District of Montana, and elsewhere including Oregon and Washington, the defendant, SHAWN MATTHEW RUSSELL, traveled in interstate commerce for the purpose of engaging in any illicit sexual conduct, that is, MCA § 45-5-503, Sexual Intercourse Without Consent, in violation of 18 U.S.C. § 2423(b).

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COUNT V

That on or about August 17, 2010, at Helena, in the State and District of Montana, the defendant, SHAWN MATTHEW RUSSELL, knowingly possessed computer files containing an image or images of child pornography that had been shipped, or transported using any means or facility of interstate or foreign commerce, being the internet and computer, or that was produced using materials that had been mailed, shipped or transported in and affecting interstate or foreign commerce by any means, in violation of 18 U.S.C. § 2252A(a)(5)(B).

FORFEITURE ALLEGATION

As a result of the commission of the crimes described above, and upon his conviction, the defendant, SHAWN MATTHEW RUSSELL, shall forfeit to the United States, all right, title and interest in property that represents property used to commit those offenses, that is,

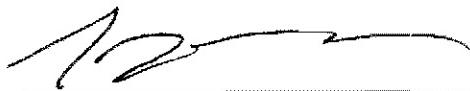
generic CPU s/n 010805120212
Asus Netbook laptop computer s/n 890AAQ454620
Vizio moniter with TV cards s/n LPAFNAK2700363

pursuant to 18 U.S.C. § 2253(a).

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A TRUE BILL.



FOREPERSON



for MICHAEL W. COTTER
United States Attorney
Attorney for Plaintiff



KRIS A. McLEAN

Criminal Chief Assistant U.S. Attorney
Attorney for Plaintiff

Crim. Summons _____

Warrant: none USMS Custody

Bail: none